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July 11, 1994

JUL 11 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: PR Docket No. 92-235, Ex Parte Filing

Dear Mr. Caton:

This is to advise that this afternoon representatives of the International Taxicab and Livery Association ("ITLA"), namely Alfred LaGasse and the undersigned, met with Ms. Karen Brinkman of Chairman Hundt's staff relative to the re-farming docket.

The points made in the meeting are reflected in ITLA's Reply Comments as well as in the Comments and Reply Comments of the Coalition of Industrial and Land Transportation Radio Users. Copies of the attached documents were provided at the meeting and are supplied herewith for inclusion in the Docket.

Any questions regarding his matter may be directed to the undersigned.

Sincerely,

William K. Keane

William K. Keane

WKK:tjg
Enclosure

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OVERVIEW OF THE ITLA & THE US TAXICAB INDUSTRY

The International Taxicab and Livery Association (ITLA), formed in 1917, is a nonprofit trade association which represents private, for-profit providers of for-hire ground transportation services.

ITLA'S MISSION:

To enhance the ability of member organizations to serve effectively and profitably the local transportation needs of the public; and to serve as the spokesperson for the for-hire ground transportation industry.

MEMBERSHIP

The ITLA has five membership divisions: Contracted & Paratransit Services, Premium Services, Taxicab Services, International Operators, and Associates (suppliers). Operators of private, for-profit ground transportation fleets can join one, two, or three of the ITLA's operator divisions as long as the largest portion of the fleet joins first. The nearly 900 members operate over 75,000 vehicles, and are located in all fifty states in the United States, and in sixteen other countries.

MEMBER SERVICES

The ITLA is a full service membership organization that has five service departments: Research, Meetings, Public Relations, Publications, and Government Relations. A very brief description of each of the departments is presented here:

Research—The ITLA is the official coordinator of two-way radio frequencies for the Taxicab Radio Service. Additionally, grants are sought to fund special research projects (e.g. driver safety), and a *Fact Book* (industry statistics) is published annually for each division.

Meetings—Three national meetings are held each year. The Spring Conference (2.5 days) is a meeting which focuses primarily on one important operational function (e.g. communications). The Mid-Year Conference (3.5 days) is a meeting for industry leaders, which concentrates on legal, regulatory, and legislative issues. The Annual Convention & Trade Show (3.5 days) is held in the fall, covering numerous subjects and featuring an exhibition of industry suppliers.

Public Relations—A membership certificate, camera ready sheet of logos, vehicle decals, promotional brochures, Division Operator and Driver of the Year awards program, and exhibiting at trade shows make up the ITLA's public relations program.

Publications—*Taxi & Livery Management* is the ITLA's color, quarterly magazine. *DISPATCH* is a general members only newsletter which is published the eight months that the magazine is not issued. Each division has its own division newsletter which focuses exclusively on that division's interests and is issued along with the general newsletter. Also, an *ITLA Membership Directory*, with a section on each membership division, is published annually.

Government Relations—In carrying out its mandate to represent the for-hire ground transportation industry before Congress and the federal regulatory agencies, the ITLA testifies on a variety of issues including: communications, labor relations, public transportation, energy, tax policy, and crime & safety concerns. The members are kept informed of the ITLA's activities through the newsletters and via the ITLA's *Legislative Alert* bulletin.

*National Statistics On The Taxicab Industry**

Number of Companies	6,342
Number of Vehicles	205,300
Number of Workers	355,200
Number of Passengers	2 billion

*Vehicles Operated By Taxicab Companies**

Taxicabs	170,800
Limousines & Liveries	16,600
Vans	10,900
Minibuses & Other	7,000
Total Vehicles	**205,300**

*Areas Served By Taxicab Companies**

	City Population		
	1-49,999	50,000-199,999	200,000 & up
Percent of Passengers	32	23	45
Avg. Annual Passengers/Taxi	8,864	12,128	7,200
Average Taxis Per Company	8	21	121
Avg. Annual Miles/Taxi	45,924	47,438	43,450

*These statistics come from *A Statistical Profile of the Private Taxicab and Paratransit Industry*, published in 1988 by the Urban Mass Transportation Administration of the U.S. Department of Transportation.

SUMMARY OF REPLY COMMENTS OF INTERNATIONAL TAXICAB AND LIVERY ASSOCIATION

In its reply comments in the refarming docket (PR Docket No. 92-235), the International Taxicab and Livery Association ("ITLA") opposed National Association of Business and Educational Radio's proposal to place the Taxicab Radio Service in the Business Radio Service; instead, if there be any consolidation at all, ITLA urged that the Taxicab Radio Service be part of a Land Transportation pool.

- Because of incompatibility between the Taxicab and Business Radio Services, the proposed consolidation would result in wasted spectrum and difficult coordination. By contrast, sharing with motor carriers has been historically harmonious and efficient.

- Taxicabs and business radio users would suffer mutual interference if the two services were consolidated. There have been virtually no interference problems with motor carriers.

- The FCC is on record indicating that business and ground transportation users likely are "operationally incompatible." Report and Order in PR Docket No. 88-373, 4 FCC Rcd 5756, 5759 (1989), recon. granted in part 5 FCC Rcd 4784 (1990).

- Clear channels, which would be jeopardized by placement of taxicabs in the business pool, are essential to the safety of taxicab drivers. Additionally, taxicab drivers in many areas contribute to the safety of the general public by using their radios to report suspicious activity to the police.

SUMMARY OF REPLY COMMENTS OF THE COALITION OF INDUSTRIAL AND LAND TRANSPORTATION RADIO USERS

CONSOLIDATION

As a member of the Coalition of Industrial and Land Transportation Radio Users, ITLA joined Manufacturers Radio Frequency Advisory Committee, Inc., American Trucking Associations, Inc. and Forest Industries Telecommunications in opposing the Commission's proposal to consolidate the current land mobile services. In the view of the Coalition, interservice sharing works and consolidation need not be adopted in order to improve spectrum efficiency. Nevertheless, the Coalition's reply comments urged that, if there should be any consolidation:

- Six service pools should be adopted:
    - Public Safety
    - Land Transportation
    - Industrial/Utilities
    - Special Industrial
    - Business
    - Specialized Mobile Radio

- Compatibility between and among users of shared channels is extremely important.

- Taxicabs and truckers should be placed in a Land Transportation Radio Service since they have proven to be compatible.

- User representative coordinating agencies are of great value.

- Industrial Telecommunications Association's proposal for four very broad pools would increase the risk of interference and complicate the process of migration to narrower channel widths.

MTDB
Metropolitan Transit Development Board

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466
FAX (619) 234-3407

March 11, 1994 TAXI 570.5, ADM 121

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, D.C. 20554

Dear Chairman Hundt:

Subject: PR DOCKET NO. 92-235

This letter is written in connection with the Commission's "re-farming" proceeding.

In particular, the San Diego Metropolitan Transit Development Board (MTDB) is writing in its official regulatory capacity in order to share with you and your fellow Commissioners concerns about possible adverse effects which your re-farming proceeding may entail for the taxi riding public in our locale. But, first, a word of background.

MTDB is authorized to establish conditions of service applicable to for-hire passenger services in the San Diego metropolitan area. This includes licensing entities deemed eligible to provide taxi service, as well as adopting and administering regulations concerning taxi service, rates, and safety.

For-hire passenger service represents a vital public service in our area. Taxis provide an essential means of transportation for many of our disabled, older, and lower-income residents. Moreover, such services operate over the San Diego metropolitan area covering neighborhoods not served by the Metropolitan Transit System (MTS). For these citizens, taxi service must not only be readily available, it must be economical.

Furthermore, taxis serve a unique public safety function. With the increasing incidence of crime, in particular, violent crime, taxi drivers serve an important public safety function. By helping spot and report suspicious activity, taxis reinforce the limited presence of police on our streets.

We share these points with you because, as we understand it, the FCC is considering how and when to increase the number of radio channels by requiring the use of radios with narrower channel bandwidths. In addition, we understand the FCC is considering the merger of the 19 Specialized Radio Services into, possibly, as few as three or four.

We urge that the Commission proceed cautiously in adopting any such changes. While additional channels may be helpful over the long-term, we are much more concerned about the effects on the quality and cost of taxi service to our citizens if the FCC should adopt some of the proposals set forth in its voluminous Notice of Proposed Rulemaking. Those proposals would result in a forced change-out of perfectly serviceable radio equipment well before the end of its useful life; the net effect would be additional costs to the operator and possible fare increases for this essential public service.

Whatever transition to narrower-band equipment the Commission ultimately adopts, it should be such as to minimize the imposition of unnecessary costs--whether that results from aggressive transition schedules or, equally harsh, a requirement that taxi companies make two separate capital expenditures: first, for 12.5 kHz equipment, and then for 6.25 kHz equipment.

In addition, given the vital importance of clear channels to driver and public safety, MTDB questions the proposed merging of the taxi radio service with other service. The risk of interference--and blocked calls--can only be increased, especially given the heavy traffic typical of taxi communications in our area. If, despite this, some consolidation is ultimately adopted, then the taxicab radio service should at least be grouped with other compatible users in a Land Transportation Radio Service, and not forced to share with an incompatible service such as Business Radio.

We look forward to following the FCC's deliberations on this matter. We trust that the current proposals will not outweigh the needs of the taxi riding public.

Copies of this ex parte communication are furnished for inclusion in the docket.

Sincerely,

Thomas F. Larwin
General Manager

TFL:dag
L-HUNDT.BLL

bcc: Rose Hamburger
Tony Lee, Yellow Cab
BL
TFL

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

CODIFIED ORDINANCE NO. 11
(as Adopted August 8, 1988 and as amended through June 27, 1991)

An Ordinance Providing for the Licensing and the Regulating of Transportation Services Within the City By the Adoption of a Uniform Paratransit Ordinance

SECTION 1.0 - GENERAL REGULATIONS

Section 1.1 - Definitions

The following words and phrases, wherever used in this section, shall be construed as defined in this section, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases.

(a) "Association" shall mean an incorporated or unincorporated society or group of persons united for some purpose related to the operation of paratransit vehicles. This term includes a cooperative association.

(b) "Board" shall mean the Board of Directors of the San Diego Metropolitan Transit Development Board.

(c) "Charter vehicle" shall mean every vehicle which:

(1) Transports passengers or parcels or both over the public streets of the City;

(2) Is routed at the direction of the hiring passenger;

(3) Is prearranged in writing for hire;

(4) Is not made available through "cruising"; and

(5) Is hired by and at the service of a person for the benefit of himself or herself or a specified group.

(d) "City" and "Cities" shall mean the incorporated areas of the Cities of El Cajon, Imperial Beach, Lemon Grove, National City, Poway, San Diego, and Santee.

(e) "Compensation" shall mean any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted, or received by the driver or owner of any vehicle in exchange for transportation of a person, or persons; whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.

(f) It shall be unlawful for any driver of a taxicab, while carrying exclusive or group ride passengers, to display the flag or device attached to the taximeter in such a position as to denote that the vehicle is for hire, or is not employed, or to have the flag or other attached device in such a position as to prevent the taximeter from operating. It shall be unlawful for any driver to throw the flag into a position which causes the taximeter to record when the vehicle is not actually employed, or to fail to throw the flag or other device into nonrecording position at the termination of each and every service.

(g) The taximeter shall be so placed in the taxicab that the reading dial showing the amount of fare to be charged shall be well-lighted and easily readable by the passenger riding in such taxicab.

(h) It shall be unlawful for any permit holder and/or driver of a taxicab to demand of a passenger a charge for hire which is greater than the current maximum rate approved by the Board pursuant to Section 2.2 (a) or (b) of this Ordinance.

(i) Except as provided in this section, is shall be unlawful for any permit holder and/or driver to demand of a passenger a charge for hire which is greater than the permit holder's meter rate filed with the General Manager pursuant to Sections 2.1 (a), 2.2 (b), or 2.2 (c) of this Ordinance.

(j) Nothing in this Ordinance shall preclude a permit holder or driver from agreeing with prospective passenger(s) to a rate of fare which is less than the permit holder's filed and posted rates of fare if the agreement is entered into in advance of the passenger(s), hiring the taxicab for the trip, except for trips commencing at the Lindbergh Field International Airport.

Section 2.3 - Equipment and Specifications

(a) No taxicab shall be operated until the taximeter thereon has been inspected, tested, approved and sealed by an authorized representative of the State of California, and thereafter so maintained in a manner satisfactory to the General Manager.

(b) Each taxicab shall be equipped with a device which shall plainly indicate to a person outside the taxicab whether the taximeter is in operation or is not in operation.

(c) Each taxicab shall be assigned a body number by the permit holder. The trade name and body number shall be painted or permanently affixed in letters and numerals no less than four (4) inches high on both sides and the rear of the taxicab.

(d) All taxicabs shall be equipped and operated so that they may be dispatched by two-way radio communication in response to a telephone or other request for service by a prospective passenger. This requirement may not be met by use of a mobile radio telephone service.

(1) Radio must be turned on, and audible to driver, at all times the taxicab is in service.

(e) The radio dispatch capability described in paragraph (d) of this section must be provided so as to conform to the regulations of the Federal Communications Commission pertaining to Land Transportation Radio Services. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section.

(1) The current valid FCC license shall be on file with MTDB.

(2) Taxicab permit holder shall provide current proof the radio has passed inspection by an MTDB-approved inspector.

(3) Taxicab radios shall have the capability to receive or transmit only on frequencies specified in the FCC license of the radio service subscribed to by the permit holder.

(f) Radio scanners are not allowed in taxicabs.
(Section 2.3 amended 6/27/91; effective 7/27/91)

Section 2.4 - Operating Regulations

(a) Operating regulations shall be promulgated and adopted from time to time by resolution of the Board. These resolutions will have the force of law and will be published and processed as though set forth in this Ordinance.

(b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously.

(c) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective fare or to take any action to actively discourage a prospective fare on the basis of race, creed, color, age, sex, national origin, handicap, or for any other reason, unless it shall be readily apparent that the prospective fare is a hazard to the driver or operator.

(d) It shall be unlawful to refuse or discourage a prospective fare based upon trip length within the Cities.

(e) No driver of any taxicab shall stop, park, or otherwise leave standing a taxicab on the same side of the street in any block in which two (2) taxicabs are already stopped, parked, or otherwise standing.

(f) No driver shall stop, park or otherwise leave standing a taxicab within one-hundred (100) feet of any other taxicab.

(g) No driver shall stop, park, or otherwise leave standing a taxicab within fifteen (15) feet of any fire plug except as modified in Section 2.5 of this Ordinance.

(h) A driver may not display an "Out-of-Service" sign while the driver is in the taxicab or the taxicab is located in a taxi stand. This subsection shall not prohibit a driver of an out-of-service taxicab from displaying an

MTDB TAXICAB REGULATORY ADMINISTRATION
VEHICLE INSPECTION NOTICE

Cab 794

White—Permit Holder
Yellow—Vehicle File
Pink—Vehicle Inspec
Gold—Office Copy

Date: 11/17/93

YELLOW CAB
Company name

To: TRANSIT CAPTIAL CORPORATION

Your vehicle, medallion # T276 **, has been scheduled for inspection on** 12/13/93 **at** 11:30 a.m. **at 1601 Newton Ave., San Diego.**

This is the actual inspection report we will fill out. When you, or your representative, arrive at the inspection site, you must give the follow items to the Inspector before we will begin to inspect your vehicle.

1. This form signed and dated by the permit holder.
2. The current vehicle registration.

Allow 30 to 60 minutes per inspection.

If you have any questions concerning what will pass, refer to "Taxicab Vehicle Inspection Guidelines". This information is available in our office.

PLEASE READ REVERSE SIDE OF THIS FORM FOR FURTHER INFORMATION

A M Palmeri

Permit Holder — Date

TAXICAB/FOR-HIRE VEHICLE INSPECTION REPORT — (FOR M[illegible] ONLY)

TYPE

____ Permit Issuance
____ Replacement Vehicle
____ Scheduled
____ Supplemental Schedule
____ Code Compliance Referral (attached)
____ Return to Service
____ Spare Vehicle
____ Other

Time _____ Reg. No. _____

Year/Make _____ Seating Capacity _____

Mileage _____ Vehicle Identification No. _____

License Plate # _____ Date _____

Body No. _____ Staff Signature _____

BRAKES/TIRES		PASS	FIX & RETURN	FAIL
*1.1	Available Pedal	☐	☐	☐
*1.2	Brake System Leaks, etc.	☐	☐	☐
*1.3	Emergency Brake	☐	☐	☐
*1.4	Tire Tread Wear/Other	☐	☐	☐
EXTERIOR				
*2.1	Headlights (high & low beam)	☐	☐	☐
*2.2	Signal Lights (both)	☐	☐	☐
*2.3	Taillights (both)	☐	☐	☐
*2.4	Brake Lights (both)	☐	☐	☐
*2.5	Top Lights (both)	☐	☐	☐
*2.6	Mirrors (all 3)	☐	☐	☐
**2.7	Windshields	☐	☐	☐
**2.8	Body Condition/Dents, etc.	☐	☐	☐
**2.9	Posted Rates of Fare	☐	☐	☐
**2.10	Driver Safety System	☐	☐	☐
2.11	Reverse Lights (both)	☐	☐	☐
2.12	Fuel Cap	☐	☐	☐
2.13	Paint Faded, Chipped, Peeled	☐	☐	☐
2.14	Emergency Flashers	☐	☐	☐
2.15	Markings	☐	☐	☐
2.16	Hub Caps	☐	☐	☐
2.17	Cleanliness	☐	☐	☐
INTERIOR				
*3.1	Horn	☐	☐	☐
*3.2	Windshield Wipers	☐	☐	☐
*3.3	Seats/Seatbelts	☐	☐	☐
*3.4	Meter Seals/Operation	☐	☐	☐
**3.5	Defroster/Heater Operation	☐	☐	☐
**3.6	Radio Response/Scanner	☐	☐	☐
3.7	Dash Gauges/Odometer	☐	☐	☐
3.8	Cleanliness	☐	☐	☐
3.9	Condition	☐	☐	☐
3.10	All Interior Lights	☐	☐	☐

ENGINE COMPARTMENT		PASS	FIX & RETURN	FAIL
*4.1	Fuel Line	☐	☐	☐
**4.2	Oil Leaks	☐	☐	☐
**4.3	Water Leaks, Hose/Radiator, etc.	☐	☐	☐
**4.4	Belts	☐	☐	☐
**4.5	Hood Latch	☐	☐	☐
**4.6	Operation/Engine	☐	☐	☐
4.7	Battery Connections, Cables, etc.	☐	☐	☐
4.8	Uncontained Combustibles	☐	☐	☐
FLUID LEVELS				
**5.1	Power Steering	☐	☐	☐
**5.2	Automatic Transmission	☐	☐	☐
**5.3	Engine Oil	☐	☐	☐
CHASSIS/SUSPENSION				
**6.1	Steering Gear and Mounting	☐	☐	☐
**6.2	Suspension System	☐	☐	☐
**6.3	Exhaust System	☐	☐	☐
DOORS				
*7.1	Operate/Secure/Lock	☐	☐	☐
7.2	Handrails/Armrests	☐	☐	☐
7.3	Window/Operation	☐	☐	☐
TRUNK				
8.1	Spare Tire and Equipment/Road Service	☐	☐	☐
8.2	Cleanliness/Condition	☐	☐	☐
8.3	Securely Latched	☐	☐	☐
ALL FOR-HIRE VEHICLES (EXCEPT TAXIS)				
*9.1	Fire Extinguisher	☐	☐	☐
*9.2	Reflectors	☐	☐	☐
9.3	First Aid Kit	☐	☐	☐
*10.0	Other _____			

* *Out of Service* ** *Possible out of Service*

Comments: _____

In Service ☐ Out of Service ☐ Next Recommended Inspection _____

Signed: _____ *Inspector* *Date*

10/93

Metropolitan Transit Development Board
Taxicab Regulatory Administration
1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 (619) 557-4518

MTDB
Metropolitan Transit Development Board

1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466
FAX (619) 234-3407

Agenda

For Executive Committee Discussion

December 2, 1993

Item No. C4

G-L 4

Subject:

PROPOSED LEGISLATIVE GOALS FOR 1994 AND SUMMARY OF PAST LEGISLATIVE SESSION

INTRODUCTION:

State Legislative Goals

For the upcoming legislative session, the following state legislative goals are recommended:

1. Oppose any legislative effort to divert Transportation Development Act funds and support any efforts to protect such funds.

2. Support efforts through the California Transit Association (CTA) to enact additional sources of transit operating assistance based upon recommendations from the CTA Operating Assistance Project Study.

3. Monitor and respond to other proposals or initiatives to enact new transit operating assistance funds, including the Planning and Conversation League (PCL) initiative and potential initiatives for pay-at-the-pump plans.

4. Support funding of State Transit Bond Debt Service payments from General Fund.

5. Monitor and respond to proposals or initiatives to protect gas tax and other transportation funds from being used for nontransportation purposes.

6. Support the proposal of the Bay Area Rapid Transit District (BART) to make it a crime to carry firearms, explosives, or acids on public transit vehicles or facilities and incorporate other activities prohibited by rules or regulations within the Penal Code.

7. Oppose the Federal Communications Commission (FCC) combining radio frequency for taxicab radio service into general business radio service.

CDC

CENTERS FOR DISEASE CONTROL AND PREVENTION

NIOSH

ALERT

SEPTEMBER 1993

REQUEST FOR ASSISTANCE IN

Preventing Homicide in the Workplace

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service
Centers for Disease Control and Prevention
National Institute for Occupational Safety and Health

DISCLAIMER

Mention of any company or product does not constitute endorsement by the National Institute for Occupational Safety and Health.

Copies of this and other NIOSH documents are available from

Publications Dissemination, DSDTT
National Institute for Occupational Safety and Health
4676 Columbia Parkway
Cincinnati, OH 45226
Fax number: (513) 533–8573

For information about other occupational safety and health problems, call
1–800–35–NIOSH

DHHS (NIOSH) Publication No. 93–109

NIOSH ALERT

Request for Assistance in

Preventing Homicide in the Workplace

WARNING!

Workers in certain industries and occupations are at increased risk of homicide.

The National Institute for Occupational Safety and Health (NIOSH) requests assistance in preventing homicide in the workplace. From 1980 to 1989, homicide was the third leading cause of death from injury in the workplace, according to data from the National Traumatic Occupational Fatalities (NTOF) Surveillance System [NIOSH 1993]. Occupational homicides accounted for approximately 7,600 deaths during this period—or 12% of all deaths from injury in the workplace. Only motor vehicles and machines accounted for more occupational deaths from injury.

The purposes of this Alert are to

- identify high-risk occupations and workplaces,
- inform employers and workers about their risk,
- encourage employers and workers to evaluate risk factors in their workplaces and implement protective measures, and
- encourage researchers to gather more detailed information about occupational homicide and to develop and evaluate protective measures.

Homicide is a leading cause of death from injury in the workplace.

NIOSH requests that the information in this Alert be brought to the attention of workers and employers by the following: editors of appropriate trade journals, safety and health officials, labor organizations, members of the academic and public health communities, law enforcement agencies, advocacy groups, and insurance companies.

NUMBER AND CHARACTERISTICS OF VICTIMS

Number of Victims

During the period 1980–89, nearly 7,600 U.S. workers were victims of homicide in the workplace. Homicide was the leading cause of occupational death from injury for women, and the third leading cause for all workers. The actual number of occupational homicides is higher than reported in this Alert because methods for collecting and reporting death certificate data tend to underestimate the total number of deaths [NIOSH 1993]. NTOF data indicate that for the period 1980–89, the average annual rate of occupational homicide was 0.7/100,000 workers [Castillo and Jenkins 1993]. (See Jenkins et al. [1992] for an overview of work-related homicides based on NTOF data for the years 1980–88.)

Although data are not available to quantify nonfatal assaults in the United States, such intentional injuries to workers occur much more frequently than occupational homicides. Efforts to prevent occupational homicide may also reduce the number of nonfatal assaults.

Sex of Victims

Of the 7,600 homicide victims during the period 1980–89, 80% were male. The homicide rate for male workers was three times that for female workers (1.0/100,000 compared with 0.3/100,000). Nonetheless, homicide was the leading cause of death from occupational injury among women, causing 41% of all such deaths among women compared with 10% among men. (See Bell [1991] for an analysis of NTOF data on occupational homicides among women.)

Age of Victims

Nearly half of the occupational homicides occurred among workers aged 25 to 44, but workers aged 65 and older had the highest rate of occupational homicide (2.0/100,000).

Race of Victims

During the period 1980–89, 75% of occupational homicide victims were white, 19% were black, and 6% were other races. However, the rate of occupational homicide among black workers (1.4/100,000) and other races (1.6/100,000) was more than twice the rate for white workers (0.6/100,000).

Weapons Used

Guns were used in 75% of all occupational homicides from 1980 to 1989. Knives and other types of cutting and piercing instruments accounted for only 14% of these deaths during this period.

HIGH-RISK WORKPLACES AND OCCUPATIONS

Among workplaces, retail trades had the highest number of occupational homicides (2,787) during the period 1980–89, and services had the second highest number (1,275). These two workplaces accounted for 54% of all occupational homicides during this period. Three workplaces had homicide rates that were at least double the average annual rate (0.7/100,000) for the United States: retail

Table 1. Workplaces with the highest rates of occupational homicide, 1980–89

Workplaces and SIC* codes	Number of homicides	Rate†
Taxicab establishments (412)	287	26.9
Liquor stores (592)	115	8.0
Gas stations (554)	304	5.6
Detective/protective services (7381, 7382)	152	5.0
Justice/public order establishments (92)	640	3.4
Grocery stores (541)	806	3.2
Jewelry stores (5944)	56	3.2
Hotels/motels (701)	153	1.5
Eating/drinking places (58)	734	1.5

*Standard Industrial Classification. Workplaces were classified according to the *Standard Industrial Classification Manual*, 1987 [OMB 1987].
†Number per 100,000 workers per year.

trades, public administration, and transportation/communication/public utilities.

Workplaces with the highest rates of occupational homicide were taxicab establishments, liquor stores, gas stations, detective/protective services, justice/public order establishments (including courts, police protection establishments, legal counsel and prosecution establishments, correctional institutions, and fire protection establishments), grocery stores, jewelry stores, hotels/motels, and eating/drinking places (see Table 1). Taxicab establishments had the highest rate of occupational homicide—nearly 40 times the national average and more than three times the rate of liquor stores, which had the next highest rate.

The occupation with the highest rate of occupational homicide was taxicab driver/chauffeur, with a rate 21 times the national average. Other high-risk occupations were law enforcement officers (police officers/sheriffs), hotel clerks, gas station workers, security guards, stock handlers/baggers, store owners/managers, and bartenders (see Table 2).

CIRCUMSTANCES OF HOMICIDE IN THE WORKPLACE

Information on death certificates does not allow identification of the circumstances of homicide in the workplace. However, the types of high-risk workplaces and occupations identified suggest that robbery is a predominant motive. In addition, some homicides are caused by disgruntled workers and clients or by domestic violence that spills into the workplace.

CURRENT OSHA REGULATIONS

The Occupational Safety and Health Administration (OSHA) has no specific regulations for preventing occupational homicide. However, the OSHA General Duty Clause [29 USC* 1900 5(a)(1)] requires employers to provide a safe and healthful working environment for all workers covered by the Occupational Safety and Health Act of 1970.

*United States Code.

Table 2. Occupations with the highest rates of occupational homicide, 1980–89

Occupations and BOC* codes	Number of homicides	Rate†
Taxicab drivers/chauffeurs (809)	289	15.1
Law enforcement officers (police officers/sheriffs) (418, 423)	520	9.3
Hotel clerks (317)	40	5.1
Gas station workers (885)	164	4.5
Security guards (426)	253	3.6
Stock handlers/baggers (877)	260	3.1
Store owners/managers (243)	1,065	2.8
Bartenders (434)	84	2.1

*Bureau of Census. Occupations were classified according to the *1980 Census of the Population: Alphabetic Index of Industries and Occupations* [U.S. Department of Commerce 1982].
†Number per 100,000 workers per year.

POSSIBLE RISK FACTORS AND PREVENTIVE MEASURES

Risk Factors

Researchers have suggested a number of factors that may increase the risk of homicide in the workplace [Kraus 1987; Davis 1987; Davis et al. 1987; Castillo and Jenkins 1993]. The following are examples of these factors:

- Exchange of money with the public
- Working alone or in small numbers
- Working late night or early morning hours
- Working in high-crime areas
- Guarding valuable property or possessions
- Working in community settings (e.g., taxicab drivers and police)

Preventive Measures

Immediate preventive measures are needed to reduce the large number of occupational homicides each year. Although the preventive measures presented in this Alert have not been widely tested, they may provide some protection to workers until research studies can be conducted to evaluate their effectiveness.

A number of environmental and behavioral measures have been proposed for reducing occupational homicides in high-risk establishments and occupations [Chapman 1986; Crow and Erickson 1989; NYCPD 1990; State of Florida 1991]. These measures include the following:

- Make high-risk areas visible to more people.
- Install good external lighting.
- Use drop safes to minimize cash on hand.
- Carry small amounts of cash.

- Post signs stating that limited cash is on hand.
- Install silent alarms.
- Install surveillance cameras.
- Increase the number of staff on duty.
- Provide training in conflict resolution and nonviolent response.
- Avoid resistance during a robbery.
- Provide bullet-proof barriers or enclosures.
- Have police check on workers routinely.
- Close establishments during high-risk hours (late at night and early in the morning).

CONCLUSIONS

Occupational homicide is a serious public health problem, but many employers and workers may be unaware of the risk. No current OSHA regulations apply specifically to occupational homicide, but a great need exists for worker protection from intentional injury in the workplace.

High-risk workplaces include taxicab establishments, liquor stores, gas stations, detective/protective services, justice/public order establishments, grocery stores, jewelry stores, hotels/motels, and eating/drinking places. High-risk occupations are taxicab drivers/chauffeurs, law enforcement officers (police officers/sheriffs), hotel clerks, gas station workers, security guards, stock handlers/baggers, store owners/managers, and bartenders. Employers in these high-risk establishments and occupations need to be aware of the risk for homicide and take steps to ensure a safe workplace.

RECOMMENDATIONS

NIOSH recommends that the following steps be taken to prevent occupational homicides:

1. ***Employers and workers should immediately develop and implement prevention strategies on the basis of available information.*** They should

   — evaluate the factors or situations in the workplace that might place workers at risk, and

   — carefully consider intervention efforts that might minimize or remove the risk.

   Employers and workers may be able to apply some of the preventive measures described in this Alert; they may also identify other preventive measures specific to their workplaces.

2. ***Researchers should thoroughly evaluate existing or proposed prevention strategies.*** Few in-depth studies have been conducted to evaluate preventive measures, but such evaluation is critical to homicide prevention efforts [NIOSH 1992].

3. ***Researchers should further investigate occupational homicide.*** Research should be conducted on the specific factors associated with occupational homicides. Such research is essential for the development of prevention strategies.

4. ***Researchers should address the role of guns in occupational homicides.*** Because of the frequent use of guns in occupational homicides, research should be conducted to

   — investigate the circumstances surrounding the use of guns in homicides,

   — evaluate the effectiveness of methods for protecting workers from assaults involving guns, and

   — evaluate the impact that existing and proposed gun-control regulations might have on protecting workers from occupational homicide.

ACKNOWLEDGMENTS

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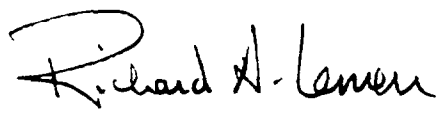
We greatly appreciate your assistance in protecting the lives of U.S. workers.



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NIOSH ALERT

Preventing Homicide in the Workplace

WARNING!

Workers in certain industries and occupations are at increased risk of homicide.

Homicide is the third leading cause of death from occupational injury for all workers. Guns are the most commonly used weapon. Employers and workers should take the following steps to protect themselves from homicide in the workplace:

1. **Be aware of which workplaces and occupations have the highest risk of work-related homicides:**

Workplaces

- Taxicab establishments
- Liquor stores
- Gas stations
- Detective/protective services
- Justice/public order establishments
- Grocery stores
- Jewelry stores
- Hotels/motels
- Eating/drinking places

Occupations

- Taxicab drivers/chauffeurs
- Law enforcement officers (police officers/sheriffs)
- Hotel clerks
- Gas station workers
- Security guards
- Stock handlers/baggers
- Store owners/managers
- Bartenders

2. **Learn the factors that may increase the risk of homicide:**

- Exchange of money with the public
- Working alone or in small numbers
- Working late night or early morning hours
- Working in high-crime areas
- Guarding valuable property or possessions
- Working in community settings

3. **Evaluate your workplace and take steps that may prevent homicides. Preventive measures may include the following:**

- Make high-risk areas visible to more people.
- Install good external lighting.
- Use drop safes to minimize cash on hand.
- Carry small amounts of cash.
- Post signs stating that limited cash is on hand.
- Install silent alarms.
- Install surveillance cameras.
- Increase the number of staff on duty.
- Provide training in conflict resolution and nonviolent response.
- Avoid resistance during robbery.
- Provide bullet-proof barriers or enclosures.
- Have police check on workers routinely.
- Close establishments during high-risk hours (late at night and early in the morning).

Homicide is a leading cause of death from injury in the workplace.

Please tear out and post. Distribute copies to workers.

See back of sheet to order complete Alert.

For additional information, see *NIOSH Alert: Request for Assistance in Preventing Homicide in the Workplace* [DHHS (NIOSH) 93–109], or call 1–800–35–NIOSH. Single copies of the Alert are available free from the following:

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